



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/734,102	12/11/2000	Rosario Gennaro	YOR920000597US1(13879)	3899

7590 09/05/2006

RICHARD L. CATANIA, ESQ.
SCULLY, SCOTT, MURPHY AND PRESSER
400 Garden City Plaza
Garden City, NY 11530

EXAMINER

MOORTHY, ARAVIND K

ART UNIT PAPER NUMBER

2131

DATE MAILED: 09/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/734,102

Applicant(s)

GENNARO ET AL.

Examiner

Aravind K. Moorthy

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5,7-9,11-13 and 15-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5,7-9,11-13 and 15-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is in response to the amendment filed on 26 June 2006.
2. Claims 1-5, 7-9, 11-13 and 15-17 are pending in the application.
3. Claims 1-5, 7-9, 11-13 and 15-17 have been rejected.
4. Claims 6, 10 and 14 have been cancelled.

Response to Arguments

5. Applicant's arguments with respect to claims 1-5, 7-9, 11-13 and 15-17 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. **Claims 1-5, 7-9, 11-13 and 15-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Curry et al U.S. Patent No. 6,237,095 B1.**

As to claim 1, Curry et al discloses a method of providing anonymous digital cash, the method comprising:

providing an entity with a secure co-processor [column 3, lines 21-45];

a user establishing a secure channel to a program running on the coprocessor [column 4, lines 43-57];

the user sending a coin to be digitally signed to the coprocessor using any secure digital signature algorithm [column 8, lines 8-43];

signing the coin with a non-homomorphic signature [column 8, lines 8-43]; and

the co-processor forming an encrypted copy of the signed coin and an encrypted copy of the unsigned coin using a public key of a given encryption scheme having the public key and a private key [column 8, lines 8-43];

sending back to the user both the encrypted copy of the signed coin and the encrypted copy of the unsigned coin, the user having the private key of the given encryption scheme, wherein the user then using the private key to decrypt both the signed and unsigned copies of the coin, and using the pair of signed and unsigned copies of the coin as a unit as digital cash for payment to a recipient while keeping the identity of the user unknown to the coprocessor [column 8, lines 8-43].

As to claims 2, Curry et al teaches a method comprising the steps of:

the processor providing a signature to authenticate [column 9, lines 36-67];

the user using the coin for payment to a merchant [column 9, lines 36-67];
and

the merchant returning the signed coin to the entity for credit to an account of the merchant [column 9, lines 36-67].

As to claim 3, Curry et al discloses a method of creating and managing electronic cash, comprising the steps:

a customer communicating to a secure cryptography generator of a bank (i) a given encryption scheme having a public key and a private key, and a (ii) cash amount [column 9, lines 22-34];

establishing a unit representing the cash amount [column 8, lines 8-43];

signing the unit with a non-homomorphic signature to enable the customer to use the electronic cash while keeping the identity of the customer unknown to the coprocessor [column 8, lines 8-43];

the bank using the secure cryptography generator to encrypt both the signed unit and the unsigned unit using the public key of the given encryption scheme [column 8, lines 8-43];

storing in a database the encrypted signed unit and a value for the unit [column 8, lines 8-43];

transmitting back to the customer both the encrypted copy of the signed unit and the encrypted copy of the unsigned unit [column 8, lines 8-43];

the customer using the private key of the given encryption scheme to decrypt both the encrypted signed unit and the encrypted unsigned unit to obtain the signed unit and the unsigned unit [column 8, lines 8-43];

the customer using the decrypted pair of signed and unsigned copies of the coin as a unit as a payment to a recipient [column 8, lines 8-43]; and

the recipient presenting the pair of signed and unsigned copies of the coin to the bank for credit [column 8, lines 8-43].

As to claims 4, 8 and 12, Curry et al teaches establishing an expiration date for the unit. Curry et al discloses storing the expiration date in the database [column 16, lines 15-25].

As to claims 5, 9 and 13, Curry et al teaches that the signing step includes the step of using the secure cryptography generator to sign the unit [column 8, lines 8-43].

As to claim 7, Curry et al discloses a method of creating and managing electronic cash, comprising the steps:

- a secure cryptography generator, including means for receiving from a customer (i) a cash amount, and (ii) a given encryption scheme having a public key and a private key [column 3, lines 21-45];

- means for establishing a unit representing a cash amount [column 8, lines 8-43];

- means for signing the unit with a non-homomorphic signature to enable the customer to use the electronic cash while keeping the identity of the customer unknown to the coprocessor [column 8, lines 8-43];

- wherein the secure cryptography generator encrypts both the signed unit and the unsigned unit using the public key of the given encryption scheme [column 8, lines 8-43];

- a database for storing the encrypted signed unit and a value for the unit [column 8, lines 8-43];

means for transmitting back to the customer both the encrypted copy of the signed unit and the encrypted copy of the unsigned unit [column 8, lines 8-43];

means for the customer using the private key of the given encryption scheme to decrypt both the encrypted signed unit and the encrypted unsigned unit to obtain the signed unit and the unsigned unit, wherein the customer then uses the pair of the signed and unsigned copies of the coin as a unit as a payment to a recipient [column 8, lines 8-43].

As to claim 11, Curry et al discloses a program storage device readable by machine, tangibly embodying a program of instructions executable by the machine to perform method steps for creating and managing electronic cash, said method steps comprising:

using a secure cryptography generator of a bank to receive from a customer (i) a given encryption scheme having a public key and a private key, and (ii) a cash amount [column 9, lines 22-34];

establishing a unit representing the cash amount [column 8, lines 8-43];

signing the unit with a non-homomorphic signature to enable the customer to use the electronic cash while keeping the identity of the customer unknown to the coprocessor [column 8, lines 8-43];

using the secure cryptography generator to encrypt both the signed unit and the unsigned unit using the public key of the given encryption scheme [column 8, lines 8-43];

storing in a database the encrypted signed unit and a value for the unit [column 8, lines 8-43];

transmitting back to the customer both the encrypted copy of the signed unit and the encrypted copy of the unsigned unit [column 8, lines 8-43];

the customer using the private key of the given encryption scheme to decrypt both the encrypted signed unit and the encrypted unsigned unit to obtain the signed unit and the unsigned unit [column 8, lines 8-43];

the customer using decrypted pair of the signed and unsigned copies of the coin as a unit as a payment to a recipient [column 8, lines 8-43]; and

the recipient presenting the pair of signed and unsigned copies of the coin to the bank for credit [column 8, lines 8-43].

As to claim 15, Curry et al teaches a method, wherein:

the communicating step includes the step of the customer sending to the generator the public key of the encryption scheme [column 28, lines 40-53]; and

the step of using the secure cryptography generator includes the step of using the public key to encrypt the signature on the unit [column 28, lines 40-53].

As to claim 16, Curry et al discloses that:

the signing step includes the step of using a non-homomorphic signature scheme to sign the unit [column 28, lines 40-53];

the non-homomorphic signature scheme includes a private key and a public key [column 28, lines 40-53]; and

the step of using the non-homomorphic signature scheme includes the step of using the private key of the non-homomorphic signature scheme to sign the unit [column 28, lines 40-53].

As to claim 17, Curry et al discloses that the public key of the given encryption scheme is sent to the secure co-processor by the user [column 8, lines 8-43].

Conclusion


7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

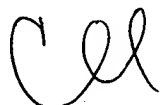
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aravind K. Moorthy whose telephone number is 571-272-3793. The examiner can normally be reached on Monday-Friday, 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Aravind K Moorthy 
August 29, 2006

CHRISTOPHER REVAI
PRIMARY EXAMINER

 6/31/06